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01 AT SEATTLE
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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 RANAE NAITOKO,) CASE NO. C12-1411-JLR
09 Petitioner,)
10 v.)
11 JEFFREY UTTECHT,) ORDER DENYING PETITIONER'S
12 Respondent.) HABEAS PETITION WITH
PREJUDICE
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The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's answer thereto, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- 17 (1) The Court adopts the Report and Recommendation;
- 18 (2) Petitioner's habeas petition and this action are DISMISSED, with prejudice;
- 19 (3) Petitioner is DENIED issuance of a certificate of appealability, and

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12-CV-01411-ORD

(4) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Theiler.

DATED this 22nd day of February, 2013.

JAMES L. RUBART
United States District Judge

**ORDER DENYING PETITIONER'S
HABEAS PETITION WITH PREJUDICE**